

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:08-cr-00040-MR-4

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.) ORDER
)
RANDY THOMAS MULLINS,)
)
Defendant.)
)

)

THIS MATTER is before the Court upon the Defendant's letter, which the Court construes as a motion for early termination of the term of supervised release. [Doc. 191].

On June 25, 2008, the Defendant pleaded guilty pursuant to a written plea agreement to one count of conspiracy to possess with intent to distribute cocaine base, in violation of 21 U.S.C. §§ 841 and 846, and one count of use of a firearm during and in relation to a drug trafficking crime, in violation of 18 U.S.C. § 924(c)(1). The Defendant was sentenced on November 19, 2008, to a term of 117 months' imprisonment and four years of supervised release and was ordered to pay a special assessment of \$200.00 and his court-appointed counsel fees. [Doc. 92]. On August 10, 2012, the Court reduced the Defendant's term of imprisonment pursuant to 18 U.S.C. § 3582

and Amendment 750 to a total term of 106 months' imprisonment. [Doc. 141]. On March 5, 2015, the Court again reduced the Defendant's term of imprisonment pursuant to § 3582 and Amendment 782 to time served, effective November 1, 2015. [Doc. 170]

The Defendant now moves the Court to exercise its discretion and terminate his term of supervised release. [Doc. 191].

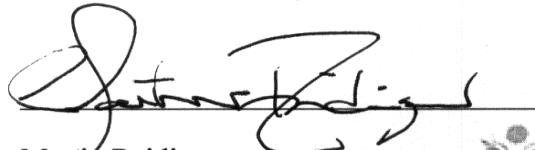
In order to terminate a defendant's term of supervised release, the Court must be "satisfied that such action is warranted by the conduct of the defendant and the interest of justice." 18 U.S.C. § 3564(c). Upon careful consideration of the record, the Court is not satisfied that termination of the Defendant's term of supervised release is warranted at this time. The Defendant still has a significant outstanding financial obligation of \$2,330.01 for court-appointed counsel fees. The Government has advised the Court that it objects to the Defendant's request in light of the Defendant's outstanding financial obligations.

Accordingly, **IT IS, THEREFORE, ORDERED** that the Defendant's letter [Doc. 191], which the Court construes as a motion for early termination of the term of supervised release, is **DENIED**. The Defendant's term of supervised release shall continue as originally sentenced.

The Clerk is directed to serve a copy of this Order on the Defendant, counsel for the Government, and the United States Probation Office.

IT IS SO ORDERED.

Signed: June 6, 2018



Martin Reidinger
United States District Judge

